

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J		PAGE OF PAGES 1   4	
2. AMENDMENT/MODIFICATION NO. 0006		3. EFFECTIVE DATE 31-Aug-2005		4. REQUISITION/PURCHASE REQ. NO. W16ROE-5174-5087		5. PROJECT NO.(If applicable)	
6. ISSUED BY USA ENGINEER DISTRICT, NEW YORK ATTN:CENAN-CT ROOM 1843 26 FEDERAL PLAZA NEW YORK NY 10278		CODE W912DS		7. ADMINISTERED BY (If other than item 6)  <b>See Item 6</b>		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				X		9A. AMENDMENT OF SOLICITATION NO. W912DS-05-B-0014	
				X		9B. DATED (SEE ITEM 11) 20-Jul-2005	
						10A. MOD. OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The purpose of this amendment is to incorporate the following:  1) Changes to the plans and specifications as indicated on the SF-30 continuation page. 2) Government answers to contractor questions for informational purposes only.  Note: Bidders must acknowledge receipt of this amendment by the date specified in the solicitation (or as amended) by one of the following methods: In the space provided on the SF1442, by separate letter, or by telegram, or by signing the block 15 below. FAILURE TO ACKNOWLEDGE AMENDMENTS BY THE DATE AND TIME SPECIFIED MAY RESULT IN REJECTION OF YOUR BID IN ACCORDANCE WITH THE LATE BID, LATE MODIFICATIONS OF BIDS OR LATE WITHDRAWAL OF BIDS (FAR 14.304)							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
_____ (Signature of person authorized to sign)				BY _____ (Signature of Contracting Officer)		31-Aug-2005	

## SUMMARY OF CHANGES

### SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:

## W912DS-05-B-0014

### Amendment No. 6

Bid opening date is scheduled for 9 September 2005 at 2:00 P.M.

1. The following changes shall be made to the specifications and plans.

#### 1) SPECIFICATIONS:

##### 1-Section 02326

Section 02326 page 3 paragraph 1.4.5 Navigation Protection

Delete this paragraph in its entirety and replace it with the new paragraph below;

##### **1.4.5 Navigation Protection and Sequence of Work.**

1-The Contractor shall maintain the depth of the Federal Channel at 35 feet MLW in all areas to accommodate ship traffic.

The Contracting Officer has identified the following closure period to accommodate the removal work while allowing vessel traffic. The channel will be **closed to vessel traffic** beginning two hours after the high tide (*as predicted for the Battery NY Tide Station*) that is closest to 0000 hrs on Saturday and ending 2 hours before the anticipated high tide that is closest to 0000 hrs on Monday. Within this closure period, there will be one period of time (beginning two hours before a specific high tide and ending two hours after said specific high tide) when the channel will be opened to traffic.

*For example, using the Battery Tide Predictions for the period Friday October 7 – Monday October 10, 2005.*

*HW Battery occurs at 2335, Friday October 7; channel closed to accommodate work at 0135 on Saturday, 8 October.*

*HW Battery occurs at 0037, Sunday, October 9; channel open to accommodate vessel traffic between 2237 on Saturday, 8 October and 0237, Sunday 9 October at which time it will again close.*

*HW Battery occurs at 0045, Monday, October 10; channel opens at 2245 on Sunday October 9.*

#### Sequence of Work

Work will commence from north to south unless otherwise authorized by the Contracting Officer or the Contracting Officer Representative (COR.).

The contractor shall coordinate his schedule in advance with the US Coast Guard Vessel Traffic Center ("VTC") and the Construction Field office at Caven Point.

The contractor shall submit a work plan with the number of closures needed to complete the work at the pre construction meeting.

## 2-Interference with Navigation

The Contractor shall minimize interference with the use of channels and passages. The COR with the VTC will direct the shifting or moving of the interruption of Contractor operations to accommodate the movement of vessels and floating equipment if necessary.

The Contractor shall meet at least weekly with representatives of the Army Corps of Engineers, VTC, pilots and terminal operators to discuss the schedule of upcoming transits of vessels associated with the aforementioned closure periods.

The Contractor shall coordinate with the Coast Guard to publish a "NOTICE TO MARINERS" prior to the initiation of any activities. The Contractor shall also coordinate all work and transportation activities with the VTC at by telephone at 718-354-4191 or by facsimile 718-354-4190. Every vessel engaged in the work shall have its name, number and owner's name painted in letters and numbers at least fourteen (14) inches high, on both port and starboard sides of the vessel. These name and numbers shall be kept distinctly legible at all times, and no vessel not so marked, shall be used to transport material.

Identification and Certification: All marine equipment that will be used, and/or may be used, during this project must be identified prior to the first day of work. Equipments identified for use on the project must be certified to be fully operational, mechanically sound, completely seaworthy, and free of leaks or other defects.

## **2-Diving Report**

The existing diving report data for this contract has been placed on the NYD Website. The web URL is: <http://www.nan.usace.army.mil/business/buslinks/contract/index.htm>

These files are for bidder's reference only, and are not to be considered as a part of the Contract Documents. Contract award will be based on what is contained in the printed Plans and Specifications in a hard copy format or Electronic Bid Set if provided. No representation is made as to availability of this data, its convertibility with user's system.

**The following questions and answers are provided for information only. Nothing contained below amends or revises any provision of the solicitation.**

## **3-Questions and Answers**

The New York District has received questions about the contract.

Q-Specification Section 00800 1.1 e 'All vessel traffic will be prohibited from entering the area where utility removal is being conducted' and Section 02326 1.4.5 27 Interference with Navigation 'The Contracting Officer will direct the shifting or moving of the interruption of operations'

Please confirm that the complete channel width in the area of pipeline removal is closed to all vessel traffic both commercial and non-commercial and the contractor is NOT required to relocate from the removal area to accommodate vessel traffic.

A: paragraph 1.4.5. was revised in this amendment

Q-Clarification is needed as relates to the issue of channel closures during work periods. We have reached out to the USCG as relates to this issue. In short, the USCG expressed concerns over the lack of clarification on prohibiting vessels from entering the' area of utility removal, which will mostly be within the channel. Will the contractor be responsible to move/cease operations to allow traffic to pass? If so, will the contractor have the right to make a claim for accumulated down time?

A: paragraph 1.4.5. was revised in this amendment

Q-On page 109 of the spec.pdf file it says that we are responsible to describe the steps to adequately flush/clean each utility prior to removal. What are the assumptions to be made in regards to the contents of the pipes? Also, if the contents are unknown, what testing standards are we to follow? What license is required to do this testing? Is the pipeline B-6 pressurized or live? What assumptions are to be made as to the contents of the pipe? What sort of testing, if any, is needed to determine the contents? What standards are the tests held to?

A: Section 00800 paragraph 1.45.A.1, page 109 of 113 (or 117 of 207) was revised in amendment 4. Contractor should refer to Section 02326.

Q-On the bottom of page 109 it states: "Provide an oil spill response plan that describes". What is the rest of the requirement? What quantity of oil is assumed to be handled?

A: Section 00800 paragraph 1.45.A.1, page 109 of 113 (or 117 of 207) was revised and CLIN 0001E was added in amendment 4.

(End of Summary of Changes)